Case Information

23CH37 | KOVAKA, BRIAN, CONCERNED CITIZENS OF MANTENO -VS- TRANSFORM MANTENO IL LLC, 333 SOUTH SPRUCE LLC, VILLAGE OF MANTENO, SMITH, FRANCIS, GOTION INC

Case Number	Court	Judicial Officer
23CH37	Civil	Parkhurst, Lindsay
File Date	Case Type	Case Status
12/22/2023	CH - Chancery	Open

Party

Plaintiff
KOVAKA, BRIAN

Active Attorneys
Lead Attorney
Bergdahl, David Earl
Retained

Attorney
Stubbe, Bailey T
Retained

Plaintiff
CONCERNED CITIZENS OF MANTENO

Active Attorneys
Attorney
Bergdahl, David Earl
Retained

Attorney
Stubbe, Bailey T
Retained

Lead Attorney
Dube, Robert T, JR
Retained

Defendant
TRANSFORM MANTENO IL LLC

Defendant
333 SOUTH SPRUCE LLC

Active Attorneys
Lead Attorney
Streicker, David Dougherty
Retained

Attorney
Streicker, David Dougherty
Retained

Defendant
VILLAGE OF MANTENO

Active Attorneys
Lead Attorney
Cainkar, Joseph Louis
Retained

Defendant
SMITH, FRANCIS

Active Attorneys
Lead Attorney
Cainkar, Joseph Louis
Retained

Defendant
GOTION INC

Active Attorneys
Lead Attorney
Streicker, David Dougherty
Retained

Defendant
Gotion Illinois New Energy, Inc

Active Attorneys
Lead Attorney
Streicker, David Dougherty
Retained

Events and Hearings

12/22/2023 Certification for Exemption from E-Filing Filed

Comment
CERTIFICATION FOR EXEMPTION FROM E-FILING FILED.

12/22/2023 Petition for Injunction Filed

Comment
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO, BRIAN KOVAKA (PLAINTIFF) Receipt: 451703 Date: 12/22/2023 Attorney: David Earl Bergdahl Attorney: David Earl Bergdahl

12/27/2023 Appearance/Answer/Response filed by

Comment
APPEARANCE OF LOCAL COUNSEL FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: David Earl Bergdahl

12/27/2023 Appearance/Answer/Response filed by

Comment
APPEARANCE FILED BY Rachel Kurth (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: Rachel Kurth

12/27/2023 Summons Issued.

Comment
SUMMONS ISSUED VILLAGE OF MANTENO (DEFENDANT); FRANCIS SMITH (DEFENDANT); TRANSFORM MANTENO IL LLC (DEFENDANT); GOTION INC (DEFENDANT); Party: VILLAGE OF MANTENO Party: FRANCIS SMITH Party: TRANSFORM MANTENO IL LLC Party: GOTION INC

12/27/2023 Appearance/Answer/Response filed by

Comment
APPEARANCE FILED BY Robert T Dube JR (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: Robert T Dube

01/03/2024 Affidavit of Service Filed

Comment
AFFIDAVIT OF SERVICE FILED SUMMONS RETURNED, SERVED FRANCIS SMITH 1/2/24

01/03/2024 Affidavit of Service Filed

Comment
AFFIDAVIT OF SERVICE FILED SUMMONS RETURNED, SERVED VILLAGE OF MANTENO 1/2/24

01/12/2024 Notice Filed

Comment
NOTICE OF APPEARANCE OF PRO HAV VICE COUSNSEL FILED BY Robert T Dube JR (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: Robert T Dube

01/12/2024 Notice Filed

Comment
NOTICE OF VOLUNTARY DISMISSAL OF CLAIMS AGAINST TRANSFORM MANTENO IL, LLC FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO, BRIAN KOVAKA (PLAINTIFF) Attorney: David Earl Bergdahl Attorney: David Earl Bergdahl

01/23/2024 Motion Filed

Comment
MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: David Earl Bergdahl

01/25/2024 CASE SCHEDULED

Comment
CASE SCHEDULED Event: MOTION OR PETITION Date: 02/14/2024 Time: 9:00 am Judge: PARKHURST, LINDSAY Location: ROOM 204 Result: MOTION ALLOWED

02/01/2024 Appearance (No Fee: Fee Exempted by Rule/Statute) Filed

Comment
APPEARANCE FILED BY Joseph Louis Cainkar (Attorney) on behalf of VILLAGE OF MANTENO, FRANCIS SMITH (DEFENDANT) Attorney: Joseph Louis Cainkar Attorney: Joseph Louis Cainkar

02/01/2024 OVERPAYMENT FROM:

Comment
OVERPAYMENT FROM: JOSEPH CAINKAR 30 NORTH LASALLE STREET- # 3430 CHICAGO, IL 60602 Receipt: 453852 Date: 02/01/2024

02/06/2024 Appearance/Answer/Response filed by

Comment
APPEARANCE FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Receipt: 454169 Date: 02/06/2024 Attorney: David Dougherty Streicker

02/07/2024 REFUNDED TO:

Comment
REFUNDED TO: ATTY Joseph Louis Cainkar

02/14/2024 Motion or Petition

Original Type
Motion or Petition

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Motion Allowed

Comment

02/14/2024 CASE SCHEDULED

Comment
CASE SCHEDULED Event: STATUS CHECK Date: 03/20/2024 Time: 9:00 am Judge: PARKHURST, LINDSAY Location: ROOM 204

02/14/2024 CASE CALLED

Comment
CASE CALLED. ATTORNEY BERGDAHL, ATTORNEY DUBE AND ATTORNEY BLANDO APPEAR FOR PLAINTIFF. ATTORNEY CAINKAR APPEARS FOR DEFENDANT VILLAGE OF MANTENO. ATTORNEY JACOBI APPEARS FOR DEFENDANT GOTION. MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT. SAME TO BE FILED THIS DATE. DEFENDANTS ARE GIVEN 30 DAYS TO ANSWER OR OTHERWISE PLEAD. INITIAL CASE MANAGEMENT ORDER IS DUE 7-23-2024. CASE IS CONTINUED FOR STATUS OF PLEADINGS TO 3-20-2024 AT 9:00AM. (PARKHURST;204;AUDIO)TEH

02/14/2024 Amended Complaint Filed

Comment
FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO, BRIAN KOVAKA (PLAINTIFF) Attorney: David Earl Bergdahl Attorney: David Earl Bergdahl

02/15/2024 Summons Issued.

Comment
SUMMONS ISSUED 333 SOUTH SPRUCE LLC (DEFENDANT); Party: 333 SOUTH SPRUCE LLC

02/15/2024 Personal Service issued.

Comment
Issue Date: 02/15/2024 Service: SUMMONS Method: PERSONAL SERVICE Provider: FOREIGN SERVER Cost Per: $ VILLAGE OF MANTENO ATTN: DEPUTY VILLAGE CLERK DARLA HURLEY 98 EAST THIRD ST MANTENO, IL 60950 Tracking No: P000097723

 SMITH, FRANCIS
 98 EAST THIRD ST
 MANTENO, IL 60950
 Tracking No: P000097724

 TRANSFORM MANTENO IL LLC
 COGENCY GLOBAL INC
 600 SOUTH SECOND ST SUITE 404
 SPRINGFIELD, IL 62704
 Tracking No: P000097725

 GOTION INC
 CHEN LI
 48660 KATO RD
 FREMONT, CA 94538
 Tracking No: P000097726

 333 SOUTH SPRUCE LLC
 CT CORPORATION SYSTEM
 208 S LASALLE SUITE 814
 CHICAGO, IL 60604
 Tracking No: P000097727

03/15/2024 Memorandum Filed.

Comment
GOTION, INC'S MEMORANDUM OF LAW AND AUTHORITIES IN SUPPORT OF ITS MOTION FOR JUDGMENT ON THE PLEADINGS PURSUANT TO 2-615(E) OR, IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO 2-619 FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

03/15/2024 Memorandum Filed.

Comment
MEMORANDUM OF LAW IN SUPPORT OF THE VILLAGE DEFENDANTS' COMBINED MOTION TO DISMISS PURSUANT TO 735 ILCS 5/2-619.1 FILED BY Joseph Louis Cainkar (Attorney) on behalf of VILLAGE OF MANTENO, FRANCIS SMITH (DEFENDANT) Attorney: Joseph Louis Cainkar Attorney: Joseph Louis Cainkar

03/15/2024 Motion to Strike Filed

Comment
GOTION, INC'S MOTION TO STRIKE CERTAIN ALLEGATIONS PURSUANT TO 2-615(A) FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

03/15/2024 Motion Filed

Comment
GOTION, INC'S MOTION FOR JUDGMENT ON THE PLEADINGS PURSUANT TO 2-615(E) OR, IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO 2-619 FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

03/15/2024 Notice of Motion Filed

Comment
NOTICE OF MOTION FILED BY Joseph Louis Cainkar (Attorney) on behalf of VILLAGE OF MANTENO, FRANCIS SMITH (DEFENDANT) Attorney: Joseph Louis Cainkar Attorney: Joseph Louis Cainkar

03/20/2024 Status Check

Original Type
Status Check

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Conversion

Comment

03/20/2024 CASE CALLED

Comment
CASE CALLED. ATTORNEY BERGDAHL ATTORNEY KURTH AND ATTORNEY DUBE APPEAR FOR PLAINTIFF. ATTORNEY CAINKAR APPEARS FOR DEFENDANT VILLAGE OF MANTENO. ATTORNEY STREICKER APPEARS FOR DEFENDANT GOTION. PARTIES PROVIDE THE COURT WITH CURRENT STATUS. CONSOLIDATED BRIEF IS DUE BY 7/1/24. INITIAL CASE MANAGEMENT ORDER IS TO BE FILED BY 7/23/24. CASE IS CONTINUED FOR HEARING ON MOTION TO DISMISS CERTAIN COUNTS OF THE PLAINTIFF'S AMENDED COMPLAINT TO 7/15/24 AT 9:30AM ROOM 204. DOCKET TO SAND AS THE COURT'S ORD ER. (PARKHURST;204/AUDIO) CO

03/20/2024 CASE SCHEDULED

Comment
CASE SCHEDULED Event: HEARING Date: 07/15/2024 Time: 9:30 am Judge: PARKHURST, LINDSAY Location: ROOM 204 Result: CONTINUED

04/29/2024 Memorandum Filed.

Comment
PLAINTIFF'S CONSOLIDATED MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS OR FOR JUDGMENT OF THE PLEADINGS FILED BY Robert T Dube JR (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: Robert T Dube

04/29/2024 Motion to Strike Filed

Comment
PLAINTIFF'S OPPOSITION TO GOTION, INC'S MOTION TO STRIKE CERTAIN ALLEGATIONS PURSUANT TO 2-615(A) FILED BY Robert T Dube JR (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: Robert T Dube

06/07/2024 Reply Filed.

Comment
REPLY MEMORANDUM OF LAW IN SUPPORT OF THE VILLAGE DEFENDANTS' COMBINED MOTION TO DISMISS PURSUANT TO 735 ILCS 5/2-619.1 FILED BY Joseph Louis Cainkar (Attorney) on behalf of VILLAGE OF MANTENO, FRANCIS SMITH (DEFENDANT) Attorney: Joseph Louis Cainkar Attorney: Joseph Louis Cainkar

06/10/2024 Reply Filed.

Comment
GOTION, INC'S REPLY IN SUPPORT OF ITS MOTION FOR JUDGMENT ON THE PLEADINGS PURSUANT TO 2-615(E) OR, IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO 2-619 FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

06/10/2024 Motion to Strike Filed

Comment
GOTION, INC'S REPLY IN SUPPORT OF ITS MOTION TO STRIKE CERTAIN ALLEGATIONS PURSUANT TO 2-615 FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

06/14/2024 Motion Filed

Comment
MOTION TO WITHDRAW RACHEL S. KURTH AS COUNSEL OF RECORD FOR PLAINTIFF'S CONCERNED CITIZENS OF MANTENO, AN ILLINOIS NON-PROFIT CORPORATION AND BRIAN KOVAK FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: David Earl Bergdahl

06/14/2024 Motion Filed

Comment
MOTION FOR ENTRY OF DEFAULT AND FOR PROVE-UP OF JUDGMENT AGAINST DEFENDANT, 333 SOUTH SPRUCE LLC FILED BY David Earl Bergdahl (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO, BRIAN KOVAKA (PLAINTIFF) Attorney: David Earl Bergdahl Attorney: David Earl Bergdahl

07/15/2024 Hearing

Original Type
Hearing

Judicial Officer
Parkhurst, Lindsay

Hearing Time
09:30 AM

Result
Continued

Comment

07/15/2024 CASE CALLED

Comment
CASE CALLED. ATTORNEY BERGDAHL AND ATTORNEY DUBE APPEAR FOR PLAINTIFF. ATTORNEY CAINKAR APPEARS FOR DEFENDANT VILLAGE OF MANTENO. ATTORNEY STREICKER APPEARS FOR DEFENDANT GOTION. ARGUMENTS ARE HEARD. MOTION TO WITHDRAW RACHEL S. KURTH AS COUNSEL OF RECORD FOR PLAINTIFF'S CONCERNED CITIZENS OF MANTENO, AN ILLINOIS NON-PROFIT CORPORATION AND BRIAN KOVAK IS FILED AND ALLOWED WITHOUT OBJECTION. MOTION FOR ENTRY OF DEFAULT AND FOR PROVE-UP OF JUDGMENT AGAINST DEFENDANT, 333 SOUTH SPRUCE LLC IS CONTIN UED TO 8-20-24 AT

10AM ROOM 204. COURT TAKES CASE UNDER ADVISEMENT. CASE IS CONTINUED TO 9-30-24 AT 9AM ROOM 204 FOR DECISION. TRANSCRIPT REQUEST BY JUDGE PARKHURT TO BE PAID FOR BY THE COUNTY.(PARKHURST;204/AUDIO) CO

07/26/2024 Notice of Hearing Filed

Comment
NOTICE OF HEARING ON MOTION FOR ENTRY OF DEFAULT AND FOR PROVE-UP OF JUDGMENT AGAINST DEFENDANT, 333 SOUTH SPRUCE LLC FILED BY Robert T Dube JR (Attorney) on behalf of CONCERNED CITIZENS OF MANTENO (PLAINTIFF) Attorney: Robert T Dube

07/30/2024 CASE SCHEDULED

Comment
CASE SCHEDULED Event: HEARING ON MOTION FOR DEFAULT Date: 08/20/2024 Time: 10:00 am Judge: PARKHURST, LINDSAY Location: ROOM 204

08/05/2024 Notice of Motion Filed

Comment
NOTICE OF MOTION FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

08/05/2024 Appearance/Answer/Response filed by

Comment
APPEARNCE FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Receipt: 464960 Date: 08/07/2024 Attorney: David Dougherty Streicker

08/05/2024 Motion Filed

Comment
333 SOUTH SPRUCE LLC'S MOTION TO VACATE TECHNICAL DEFAULTS AND FOR LEAVE TO JOIN IN RESPONSIVE PLEADINGS FILED BY David Dougherty Streicker (Attorney) on behalf of GOTION INC (DEFENDANT) Attorney: David Dougherty Streicker

08/20/2024 Hearing on Motion for Default

Original Type
Hearing on Motion for Default

Judicial Officer
Parkhurst, Lindsay

Hearing Time
10:00 AM

Result
Conversion

Comment

08/20/2024 CASE SCHEDULED

Comment
CASE SCHEDULED Event: DECISION Date: 09/30/2024 Time: 9:00 am Judge: PARKHURST, LINDSAY Location: ROOM 204

08/20/2024 CASE CALLED

Comment
CASE CALLED. ATTORNEY BERGDAHL APPEARS FOR PLAINTIFF. ATTORNEY STREICKER AND ATTORNEY PORTA APPEAR FOR DEFENDANTS GOTION AND 333 SOUTH SPRUCE. DEFENDANT 333 SPRUCE'S MOTION TO VACATE TECHNICAL DEFAULTS IS ALLOWED. DEFENDANT IS GIVEN 28 DAYS TO ANSWER OR OTHERWISE PLEAD. DEFENDANT 333 SOUTH SPRUCE IS ALLOWED TO JOIN AND ADOPT MOTION AND BRIEFS FILED BY GOTION. CASE REMAINS SET FOR DECISION 9-30-2024 AT 9:00AM. (PARKHURST;204;AUDIO)TEH

08/22/2024 Order presented, signed, and filed.

Comment
ORDER ON MOTION PRESENTED, SIGNED AND FILED. (PARKHURST)

09/09/2024 Notice Filed

Comment
MEDIA COORDINATOR'S NOTICE OF REQUEST(S) FOR EXTENDED MEDIA COVERAGE OF TRIAL OR PROCEEDING FILED.

09/09/2024 Order presented, signed, and filed.

Comment
ORDER ON REQUEST FOR EXTENDED MEDIA COVERAGE PRESENTED, SIGNED AND FILED. (PARKHURST)

09/30/2024 Decision

Original Type
Decision

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

09/30/2024 Minutes

Comment
Case called for decision on all pending motions. Attorney Bergdahl and Attorney Dube appear for plaintiff. Attorney Streicker appears for defendant Gotion. Attorney Cainkar appears for defendants Smith and Village of Manteno. The Court recites decision in open court. See formal Memorandum of Decision for details. Plaintiff is given until 11-14-2024 to file an amended complaint. Defendants given until 12-30-2024 to answer or otherwise plead. Case is continued for status of pleadings to 1-14-2025 at 9:00am. (PARKHURST;204;AUDIO)TEH

09/30/2024 Memorandum of Decision Filed.

11/14/2024 Amended Complaint Filed

Comment
Second Amended Complaint

11/14/2024 Motion Filed

Comment
Motion for Emergency Leave to Inspect Defendants Gotion Inc. and 333 South Spruce LLC's Roof

12/27/2024 Motion Filed

Comment
The Village of Manteno's Combined Motion to Dismiss Counts VII Through X of the Plaintiffs'Second Amended Complaint Pursuant to 735 ilcs 5/2-603 and 735 ILCS 5/2-619.1

12/27/2024 Memorandum Filed.

Comment
Memorandum of Law in Support of the Village Defendants' Combined Motion to Dismiss Pursuant to 735 ILCS 5/2-603 and 735 ILCS 5/2-619.1

12/27/2024 Notice of Motion Filed

12/30/2024 Notice of Motion Filed

12/30/2024 Motion Filed

Comment
333 South Spruce LLC and Gotion Inc's Partial Motion to Dismiss the Second Amended Complaint Pursuant to 735 ILCS 5/2-615(a) and 735 ILCS 5/2-619(a)(9) and Motion to Strike Certain Allegations Pursuant to 735 ILCS 5/2-615(a)

01/07/2025 Media Coordinator's Notice of Request(s) for Extended Media Coverage of Trial or Proceedings filed.

01/07/2025 Order presented, signed, and filed.

Comment
Order On Request For Extended Media Coverage (Cunnington)

01/09/2025 Notice Filed

Comment
Media Coordinator's Notice of Request(s) for Extended Media Coverage of Trial or Proceeding

01/09/2025 Order presented, signed, and filed.

Comment
Order on Request for Extended Media Coverage (Cunnington)

01/14/2025 Status Check

Original Type
Status Check

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

01/14/2025 Minutes

Comment
Case called for status of pleadings. Attorney Bergdahl and Attorney Dube appear for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Porta appears for defendants 333 Spruce LLC and Gotion. Amended Complaint is on file. Defendants have filed Motions to Dismiss. Plaintiff is given 45 days to respond to the pending motions to dismiss. Defendants are given 45 days thereafter to file final replies. Case is continued for hearing on the motions to dismiss to 4-28-2025 at 10:00am. (parkhurst;204;audio)teh

02/26/2025 Motion to Continue Filed

Comment
Plaintiffs' Unopposed Motion for an Enlargement of Time to Respond to the Defendants??? Motions to Dismiss Plaintiffs??? Second Amended Complaint

02/26/2025 Notice of Hearing Filed

Comment
Notice of Hearing on Plaintiffs Motion for an Enlargement of Time to Respond to the Defendants Motions to Dismiss Plaintiffs Second Amended Complaint

02/27/2025 Motion or Petition

Original Type
Motion or Petition

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Motion Allowed

02/27/2025 Minutes

Comment
Case called on plaintiff's motion to extend briefing schedule. Attorney Bergdahl and Attorney Blando for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Porta appears for defendants Gotion and 333 South Spruce. Motion is allowed. Case is stricken from 4-28-2025. Case is continued for hearing on the motions to dismiss to 5-14-2025 at 9:30am. See order signed. (parkhurst;204;audio)teh

02/27/2025 Order Signed and Filed

03/14/2025 Memorandum Filed.

Comment
Plaintiffs' Consolidated Memorandum in Opposition to Defendants' Motions to Dismiss Plaintiffs Second Amended Complaint

04/25/2025 Memorandum Filed.

Comment
The Village of Manteno's Reply Memorandum in Support of its Combined Motion To Dismiss Counts VII Through X of the Plaintiff's Second Amended Complaint

04/28/2025 Hearing on Motion to Dismiss

Judicial Officer
Parkhurst, Lindsay

Hearing Time
10:00 AM

Cancel Reason
Stricken

04/28/2025 Reply Filed.

Comment
333 South Spruce LLC and Gotion, Inc.'s Reply in Support of Their Partial Motion to Dismiss The Second Amended Complaint Pursuant to 735 ILCS 5/2-615(a) and 735 ILCS 5/2-619(a)(9) and Motion to Strike Certain Allegations Pursuant to 735 ILCS 5/2-615(a)

04/28/2025 Exhibit

Comment
Exhibits Cited in Plaintiffs Concerned Citizens of Manteno and Brian Kovaka Second Amended Complaints Footnotes

05/14/2025 Hearing on Motion to Dismiss

Original Type
Hearing on Motion to Dismiss

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:30 AM

Result
Hearing Held - Case Reset

05/14/2025 Memorandum of Decision Filed.

05/14/2025 Minutes

Comment
Case called for hearing on defendants' motions to dismiss. Attorney Dube and Attorney Bergdahl appear for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Streicker appears for defendants 333 South Spruce LLC and Gotion. Arguments of counsel heard. The Court gives rulings in open court. See Memorandum of Decision for formal details. Case is continued to 7-9-2025 at 9:00am for status of pleadings and entry of case management order. (parkhurst;204;audio)teh

06/30/2025 Answer/Response to Complaint/Petition

Comment
Answer and Affirmative Defenses

06/30/2025 Answer Filed

Comment
333 South Spruce LLC's and Gotion Inc.'s Answer and Affirmative Defenses To Second Amended Complaint

07/09/2025 Status Check

Original Type
Status Check

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

07/09/2025 Minutes

Comment
Case called. Attorney Bergdahl appears for plaintiff. Attorney Streicker appears for defendants Gotion and 333 South Spruce. Case is continued to 8-4-2025 at 9:00am for status of pleadings and entry of case management order. (parkhurst;204;audio)teh

08/01/2025 Case Management Order Entered.

08/04/2025 Status Check

Original Type
Status Check

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

08/04/2025 Minutes

Comment
Case called. Attorney Bergdahl appears for plaintiff. Attorney Dube appears for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Porta appears for defendants Gotion and 333 South Spruce LLC. Case management order has been entered. Case is continued to 2-4-2026 at 9:00am for status of compliance with case management order. (parkhurst;204;audio)teh

09/12/2025 Certificate Filed

Comment
Certificate of Service for Plaintiffs First Set of Interrogatories to Defendant 333 South Spruce LLC

09/12/2025 Certificate Filed

Comment
Certificate of Service for Plaintiffs First Set of Requests for Production to Defendant 333 South Spruce LLC

09/12/2025 Certificate Filed

Comment
Certificate of Service for Plaintiffs First Set of Interrogatories to Defendant Gotion, Inc.

09/12/2025 Proof of Service/Certificate of Service Filed

Comment
CERTIFICATE OF SERVICE

09/12/2025 Certificate Filed

Comment
Certificate of Service for Plaintiffs First Set of Requests for Production to Defendant Gotion, Inc.

09/12/2025 Certificate Filed

Comment
Certificate of Service for Plaintiffs First Set of Interrogatories to Defendant Village of Manteno, Illinois

09/12/2025 Certificate Filed

Comment
Certificate of Service for Plaintiffs First Set of Requests for Admission to Village of Manteno, Illinois

09/12/2025 Certificate of Service Filed

09/18/2025 Notice of Change of Address and/or Name Filed

Comment
Notice of Change of Address

10/10/2025 Certificate of Service Filed

10/10/2025 Certificate Filed

Comment
Certificate of Service for Plaintiff Brian Kovakas Responses and Objections to Defendant The Village of Manteno, Illinois Requests for Production of Documents

10/10/2025 Certificate Filed

Comment
Certificate of Service for Plaintiff Brian Kovakas Responses and Objections to Defendant Gotion Incs Requests to Produce

10/10/2025 Certificate Filed

Comment
Certificate of Service for Plaintiff Concerned Citizens of Mantenos Responses and Objections to Defendant The Village of Manteno, Illinois Requests for Production of Documents

10/10/2025 Certificate Filed

Comment
Certificate of Service for Plaintiff Concerned Citizens of Manteno, an Illinois Non-Profit Corporations Responses and Objections to Defendant Gotion Incs Requests to Produce

10/10/2025 Certificate Filed

Comment
Certificate of Service for Plaintiff Brian Kovakas Answers and Objections to Defendant The Village of Manteno, Illinois Interrogatories

10/10/2025 Certificate of Service Filed

10/10/2025 Certificate of Service Filed

10/10/2025 Certificate of Service Filed

10/17/2025 Certificate of Service Filed

11/03/2025 Certificate of Compliance Filed

11/05/2025 Certificate Filed

11/05/2025 Qualified Protective Order Pursuant to HIPAA filed by

12/04/2025 Appearance Filed

12/05/2025 Discovery

Comment
Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of SSOE, INC.

12/05/2025 Discovery

Comment
Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of T. Nugent

12/05/2025 Discovery

Comment
Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of R. Marion

12/05/2025 Proof of Service/Certificate of Service Filed

Comment
Certificate of Service of Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of SSOE, INC. D/B/A SSOE GROUP

12/05/2025 Proof of Service/Certificate of Service Filed

Comment
Certificate of Service of Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of B & F CONSTRUCTION CODE SERVICES, INC.

12/05/2025 Proof of Service/Certificate of Service Filed

Comment
Certificate of Service of Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of Economic Alliance of Kankakee County, Inc.

12/05/2025 Proof of Service/Certificate of Service Filed

Comment
Certificate of Service of Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of T. Nugent

12/05/2025 Proof of Service/Certificate of Service Filed

Comment
Certificate of Service of Plaintiffs Subpoena, Notice of Deposition and Requests for Production of Documents of R. Marion

12/05/2025 Discovery

Comment
Subpoena For Videotaped Remote Deposition And Production Of Documents

12/05/2025 Discovery

Comment
Subpoena For Videotaped Remote Deposition And Production Of Documents

12/12/2025 Notice of Hearing Filed

Comment
Notice of Hearing on Assented to Motion for Leave to Amend Plaintiffs Complaint

12/12/2025 Motion Filed

Comment
Assented to Motion for Leave to Amend Plaintiffs Complaint

12/22/2025 Motion Filed

Comment
The Village of Manteno's Unopposed Motion to Amend The Case Management Order By Extending The Time To Complete Written and Oral Fact Discovery

12/22/2025 Notice of Motion Filed

01/05/2026 Discovery

01/05/2026 Certificate of Service Filed

01/06/2026 Motion or Petition

Original Type
Motion or Petition

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Motion Allowed

01/06/2026 Minutes

Comment
Case called. Attorney Stubbe appears for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Porta appears for defendants Gotion and 333 South Spruce LLC. Plaintiff's motion

for leave to file amended complaint is allowed. Same to be filed this date. Defendants given 28 days to answer or otherwise plead. Defendant Manteno's motion to amend the case management order is allowed. Case remains set 2-4-2026 at 9:00am. (parkhurst;204;audio)teh

01/06/2026 Amended Complaint Filed

Comment
Third Amended Complaint

01/07/2026 Amended Case Management Order entered.

01/07/2026 Exhibit

Comment
Exhibits Cited in Plaintiffs Concerned Citizens of Manteno and Brian Kovaka Third Amended Complaints Footnotes

01/09/2026 Notice of Hearing Filed

Comment
Notice of Hearing on Plaintiff's Motion to Compel Response to Subpoena

01/09/2026 Motion Filed

Comment
Motion to Compel Response to Subpoena

01/20/2026 Answer Filed

Comment
Village of Manteno's Answer and Affirmative Defenses To Count VII of The Plaintiffs' Third Amended Complaint

02/02/2026 Appearance Filed

02/02/2026 Answer Filed

Comment
Gotion Inc's and 333 South Spruce LLC's Answer and Affirmative Defenses to Third Amended Complaint

02/02/2026 Appearance Filed

02/02/2026 Jury Demand Filed

02/02/2026 Answer Filed

Comment
Gotion Illinois New Energy Inc's Answer and Affirmative Defenses to Third Amended Complaint

02/03/2026 Certificate of Service Filed

02/04/2026 Status of Discovery

Original Type
Status of Discovery

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

02/04/2026 Minutes

Comment
Case called for status. Attorney Bergdahl and Attorney Dube appear for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Porta appears for defendants Gotion. Counsel reports current status of written discovery. Plaintiff withdraws Motion to Compel. Case is continued to 5-4-2026 at 9:00am for status of discovery and entry of amended case management order. (parkhurst;204;audio)teh

03/17/2026 Motion Filed

Comment
Motion for Leave to File Fourth Amended Complaint

03/17/2026 Memorandum Filed.

Comment
Memorandum in Support of Motion for Leave to File Fourth Amended Complaint

03/17/2026 Notice of Motion Filed

04/15/2026 Notice of Filing Filed

04/15/2026 Response Filed

Comment
Defendants' Combined Response in Opposition To Plaintiffs' Motion For Leave To File Fourth Amended Complaint

04/16/2026 Motion or Petition

Original Type
Motion or Petition

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

04/16/2026 Minutes

Comment
Case called on Plaintiff's Motion for Leave to File Fourth Amended Complaint. Attorney Stubbe appears for plaintiff. Attorney Cainkar appears for defendant Village of Manteno. Attorney Porta appears for defendants Gotion. Defendants combined response in opposition on file. Plaintiff given 14 days to reply. Case is stricken from 05/04/2026. Case is continued to 05/20/2026 at 10:30am for hearing on Motion for Leave to File Fourth Amended Complaint and entry of amended case management order. (parkhurst;204/audio)lb

04/30/2026 Reply Filed.

Comment
Plaintiffs Reply Brief to Defendants Combined Response in Opposition to Plaintiffs Motion for Leave to File Fourth Amended Complaint

05/04/2026 Status of Discovery

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Cancel Reason
Stricken

05/20/2026 Hearing

Original Type
Hearing

Judicial Officer
Parkhurst, Lindsay

Hearing Time
10:30 AM

Result
Motion Allowed

05/20/2026 Certificate Filed

Comment
Certificate of Service For Plaintiffs' Production of Documents To Defendants

05/20/2026 Minutes

Comment
Case called for Hearing on Petitioner's Motion for Leave to File Fourth Amended Complaint. Attorney Stubbe and Attorney Bergdahl appear for plaintiff. Attorney Streiker and Attorney Porta appear for defendants Gotion. Attorney Cainkar appears for defendant Village of Manteno. Arguments heard. The

Court allows plaintiff's motion. See Memorandum of Decision. Plaintiff given 7 days to file amended complaint. Case is continued to 07/08/2026 at 9:00am for status of surveys, status of setting schedule to answer or otherwise plead. (parkhurst;204/audio)lb/teh

05/20/2026 Memorandum of Decision Filed.

Comment
(parkhurst)

05/27/2026 Amended Complaint Filed

Comment
Fourth Amended Complaint

05/27/2026 Exhibit

Comment
Exhibits Cited in Fourth Amended Complaints??? Footnotes

06/10/2026 Certificate of Service Filed

07/01/2026 Notice of Motion Filed

07/01/2026 Motion Filed

Comment
Defendants Combined Motion to Strike Plaintiff's Complaint and for Sanctions

07/07/2026 Memorandum Filed.

Comment
Memorandum in Opposition to Defendants' Combined Motion to Strike Plaintiffs' Fourth Amended Complaint

07/07/2026 Declaration

Comment
Declaration of Bailey Stubbe

07/07/2026 Declaration

Comment
Declaration of Robert Dube

07/07/2026 Declaration

Comment
Declaration of Robert Forsythe

07/07/2026 Declaration

Comment
Declaration of Frances Ludwig

07/07/2026 Motion Filed

Comment
Motion for Sanctions

07/07/2026 Memorandum Filed.

Comment
Memorandum in Support of Motion for Sanctions

07/07/2026 Declaration

Comment
Declaration of Robert T Dube

07/08/2026 Status Check

Original Type
Status Check

Judicial Officer
Parkhurst, Lindsay

Hearing Time
9:00 AM

Result
Continued

07/08/2026 Minutes

Comment
Case called for status of surveys. Attorney Dube appears for plaintiff. Attorney Porta appears for defendants Gotion and South Spruce LLC. Attorney Cainkar appears for defendant Village of Manteno. Counsel for defendants report they had survey completed. Counsel reports status of written discovery. Plaintiff has filed a response to defendants' Motion to Strike and for Sanctions. Defendants given 14 days to file a final reply. Case is continued to 8-17-2026 at 10:00am for in-person hearing on defendants' Motion to Strike and for Sanctions, status of survey and status of written discovery. Plaintiff's Motion for Sanctions will be heard 8-17-2026 if the motion is fully briefed. (parkhurst;204;audio)teh

07/22/2026 Reply Filed.

Comment
Defendants' Reply in Support of Their Combined Motion To Strike Plaintiff's Fourth Amended Complaint Pursuant To 735 ILCS 5/2-615(a) and For Sanctions

07/22/2026 Response Filed

Comment
Gotion, Inc.'s Response in Opposition To Plaintiff's Motion For Sanctions Against Gotion, Inc.

08/17/2026 Hearing on Motion to Strike

Judicial Officer
Parkhurst, Lindsay

Hearing Time
10:00 AM